

# STAFF REPORT

---

- ☒ PROPOSED COUNTY CODE AMENDMENT
- ☒ PROPOSED PFM AMENDMENT
- ☐ APPEAL OF DECISION
- ☐ WAIVER REQUEST

Proposed amendments regarding service drive requirements and streetlight requirements

Authorization to Advertise January 9, 2006

Planning Commission Hearing May 11, 2006 at 8:15 p.m.

Board of Supervisors Hearing June 26, 2006 at 4:00 p.m.

Prepared by: Code Analysis Division  
Judith Cronauer (703) 324-1720

Report Date: March 17, 2006

## STAFF REPORT

### A. Issues:

The proposed amendments to the Fairfax County Zoning Ordinance (Zoning Ordinance) and the Public Facilities Manual (PFM) indicate that service drives are not required along Virginia byways, the Dulles Toll Road (Route 267), or interstate highways. The proposed amendment also clarifies that the Board of Supervisors, through a proffered condition, development plan or special exception approval, or the Director may waive service drive requirements when the provisions of Paragraphs 3D(1) and 3D(2) or Paragraphs 3D(1) and 3D(3) of Sect. 17-201 of the Zoning Ordinance are met. The proposed amendments indicate that primary highways include streets with route numbers greater than 7000 as well as those below 600. In addition, the proposed PFM amendments remove the requirements for streetlights along adopted Virginia byways except at road intersections and commercial entrances and to address safety issues. The proposed PFM amendments also include an editorial change, which adds the Planned Residential Mixed Use (PRM) district under the planned development streetlight requirements.

### B. Recommended Action:

Staff recommends that the Board of Supervisors adopt the proposed amendments.

### C. Timing:

Board of Supervisors Authorization to Advertise – January 9, 2006

Planning Commission Public Hearing – May 11, 2006 at 8:15 p.m.

Board of Supervisors Public Hearing – June 26, 2006 at 4:00 p.m.

### D. Source:

Department of Public Works and Environmental Services

### E. Coordination:

The proposed amendments have been prepared by the Department of Public Works and Environmental Services and coordinated with the Department of Planning and Zoning (DPZ), the Department of Transportation (DOT), the Office of the County Attorney and the Virginia Department of Transportation (VDOT). In addition, the proposed PFM amendments were recommended for approval by the Engineering Standards Review Committee.

#### F. Background:

On February 2, 2006, the Planning Commission recommended approval of the proposed amendment with minor editorial changes. However, after the public hearing, it was determined that there was an error in the amendment and the associated advertisement. This error was referencing Paragraph 2 of the Zoning Ordinance instead of Paragraph 3. It was determined that this error would require readvertisement and consequently, a new public hearing before the Planning Commission. The error has been corrected in the current proposed amendment and the Planning Commission's recommendations from the original public hearing have also been incorporated into the proposed amendment.

#### Service Drive

The proposed amendments indicate that the service drive requirements are not required for Virginia byways, the Dulles Toll Road (Route 267), or interstate highways. In the past, waivers for the service drive were routinely granted in these situations. Eliminating the need for a formal waiver application or modification under these situations will save the applicant and the County the time and expense associated with the formal waiver application and the processing associated with that application.

Both the Dulles Toll Road (Route 267) and the Dulles International Airport Access Highway are located in the same right-of-way, which is owned by the Metropolitan Washington Airport Authority (MWAA). The Dulles Toll Road is a unique situation where the road is a primary highway and is maintained by Virginia Department of Transportation (VDOT), but the right-of-way is owned by MWAA. The Dulles Toll Road is contained in an easement in the MWAA right-of-way, which gives VDOT permission to maintain it. Since the Dulles Toll Road is a primary highway, it is subject to the current service drive requirements in Article 17 of the Zoning Ordinance. Since the Dulles International Airport Access Highway does not have a route number and is not maintained by VDOT, it is not a primary highway under the Zoning Ordinance and, therefore, is not subject to the service drive requirements.

The proposed amendments clarify that the Board of Supervisors, through a proffered condition, development plan or special exception approval, or the Director may waive the service drive requirements when the provisions of Paragraphs 3D(1) and 3D(2) or Paragraphs 3D(1) and 3D(3) of Sect. 17-201 of the Zoning Ordinance are met.

Route numbers greater than 7000 were added to the state primary highway system since there are no more route numbers available below 600. The proposed amendment changes the definition of a primary highway in the PFM and the Zoning Ordinance to indicate these additional route numbers.

### Streetlights

Currently, the PFM requires streetlights along State roadways. In order to preserve, as much as possible, the historic, cultural and scenic nature of Virginia byways, the proposed amendment would limit the requirement for streetlights to road intersections and commercial entrances and to accommodate safety considerations.

### G. Summary of Proposed Amendments:

Section 7-0104 of the PFM currently defines certain situations where the service drive requirement along a primary highway may be waived. The proposed PFM amendments indicate that service drives are not required along Virginia byways, the Dulles Toll Road (Route 267), or interstate highways. The proposed amendments note that the plan must clearly label the primary highway as a Virginia byway, the Dulles Toll Road (Route 267), or an interstate highway. The proposed amendments also clarify that the Board of Supervisors, through a proffered condition, development plan or special exception approval, or the Director may waive service drive requirements when the provisions of Paragraphs 3D(1) and 3D(2) or Paragraphs 3D(1) and 3D(3) of Sect. 17-201 of the Zoning Ordinance are met.

The proposed amendments to Sect. 17-201 and Article 20 of the Zoning Ordinance make it consistent with the PFM amendment described above. Currently, the Zoning Ordinance does not include any language regarding situations where the service drive requirement along a primary highway is not required, unless waived.

The proposed amendments also revise the definition of primary highways in both the PFM and the Zoning Ordinance to include streets with route numbers greater than 7,000 as well as those below 600.

Section 7-1002 of the PFM currently requires streetlights along State roadways in subdivisions with an average lot size under 18,000 square feet, industrial and commercial subdivisions, developments requiring a site plan, and planned developments. The proposed amendment excludes Virginia byways from these requirements. However, the proposed amendment states that streetlights will be required along Virginia byways at road intersections and commercial entrances and to address safety issues.

Section 7-1002.4 of the PFM currently lists the Planned Development Housing District (PDH), the Planned Development Commercial District (PDC), and the Planned Residential Community District (PRC) as planned developments. The proposed amendments include the Planned Residential Mixed Use District (PRM) to the list of planned developments.

H. Enclosed Documents:

Attachment A: Proposed amendment to Chapter 7 of the PFM

Attachment B: Proposed amendment to Articles 17 and 20 of the Zoning Ordinance